

AMENDMENTS TO THE CLAIMS

- Sub 1*
1. (currently amended) A process for ~~effecting~~affecting a coupling between a plastic material and a metal surface comprising the steps of:
 - a) applying a powder of ~~aan~~ adhesive polymer composition to the metal surface;
 - b) overmoulding the metal surface with a plastic material by injection moulding; and
 - c) applying heat to the metal surface.
 2. (previously amended) The process of claim 1 further comprising the step of heating the metal surface before or after applying the adhesive polymer composition.
 3. (previously amended) The process of claim 1 further comprising the step of applying an organic or inorganic primer to the metal surface before applying a powder of an adhesive polymer composition to the metal surface.
 4. (previously amended) The process of claim 1 wherein pressure is applied during step (c).
 5. (previously amended) Articles obtainable by the process according to claim 1.
 6. (previously added) The process of claim 2 further comprising the step of applying an organic or inorganic primer to the metal surface before applying a powder of an adhesive polymer composition to the metal surface.
 7. (previously added) The process of claim 2 wherein pressure is applied during step (c).
 8. (previously added) The process of claim 3 wherein pressure is applied during step (c).
 9. (previously added) The process of claim 6 wherein pressure is applied during step (c).
 10. (previously added) Articles obtainable by the process according to claim 2.
 11. (previously added) Articles obtainable by the process according to claim 3.
 12. (previously added) Articles obtainable by the process according to claim 6.

REMARKS

Claims 1-12 are pending in this application. By this amendment, claim 1 is amended to correct grammatical errors. The specification has also been amended to provide an Abstract, a reference to the related International Application, several section headings, and to correct a grammatical error. No new matter has been introduced by this amendment.

Objections to the Specification

The Examiner has objected to the specification on the basis of a missing Abstract and missing section headings. In response to the objection, Applicants have included with this amendment an Abstract of the Disclosure, and necessary section headings. Applicants note that there are no figures in the present invention, so that a section entitled brief description of the figures is not required.

Claim Rejections

Rejection Under 35 U.S.C. § 102

- A. Response to Rejection of Claims 1-3, 5-6, and 10-12 under 35 U.S.C. § 102(b) as being anticipated by Ricci et al.

In response to the rejection of claims 1-3, 5-6 and 10-12 under 35 U.S.C. § 102(b) as being anticipated by International Patent Application No. WO 96/14533 of Ricci et al. ("Ricci"), Applicants respectfully submit that the reference does not teach all the elements of the presently claimed invention, and traverse the Rejection.

Applicants' invention relates to a process for affecting a coupling between a plastic material and

a metal surface comprising the steps of:

- a) applying a powder of an adhesive polymer composition to the metal surface;
- b) overmoulding the metal surface with a plastic material by injection moulding; and
- c) applying heat to the metal surface.

In contrast, Ricci is directed to a process comprising the steps of:

- 1. applying an organic or inorganic primer to the metallic pipe or pipe fitting;
- 2. applying heat to the metallic pipe or fitting;
- 3. hot dipping the metallic pipe or pipe fitting;
- 4. introducing the hot dipped metallic pipe end or fitting into an injection moulding apparatus; then
- 5. overmoulding the metallic pipe or pipe fitting with a plastics material to effect said coupling. (page 3, lines 10-19)

The reference clearly does not teach or disclose Applicants' step c), where heat is applied to the overmoulded metal surface in a separate step following the overmoulding step.

Reconsideration and withdrawal of the Rejection respectfully is requested.

B. Response to Rejection of Claims 4, and 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Ricci.

In response to the rejection of claims 4, and 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Ricci, Applicants respectfully submit that a *prima facie* case of obviousness has not been made out by the Examiner and respectfully traverse the rejection.

With respect to the rejection under § 103, in order to establish a *prima facie* case of obviousness based on a single reference, the Examiner must establish all three of the following essential criteria: (1) there must be a motivation in the cited prior art to modify the reference as suggested by the Examiner; (2) the cited reference must teach or suggest each of the claimed elements; and (3) the cited reference must provide a basis for a reasonable expectation for success. The motivation to modify and the reasonable expectation for success must come from the cited prior art and not the Applicants' specification. Further, it is not enough that a reference can be modified absent a suggestion in the cited prior art to undertake such modification.

As described above, the cited reference does not teach all the steps of the present invention. In addition, there is no motivation in Ricci to modify its procedure to arrive at the process of the present invention, and no reasonable expectation for success, since there is no disclosure of any treatment step after molding. Therefore, since none of the essential criteria for a *prima facie* case of obviousness have been established, Applicants respectfully request that the Examiner reconsider and withdraw the § 103(a) rejection of claims 4, and 7-9, and allow those claims. Further, even if a *prima facie* case of obviousness could have been shown based on Ricci, Applicants have overcome any such *prima facie* case of obviousness by setting forth in the specification the advantageous enhanced peel strength resulting from the process of the invention, as summarized on page 6, lines 6-26. These unexpected and improved results provide yet further reason for withdrawal of the obviousness rejection.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have questions or comments regarding this application or this amendment, Applicants' attorney would welcome the opportunity to discuss the case with the Examiner.

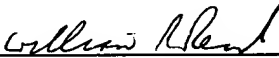
It is not believed that any fee is required for entry and consideration of this Amendment; nevertheless, the Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any such required fee.

This is intended to be a complete response to the Office Action mailed April 10, 2003.

Respectfully submitted,

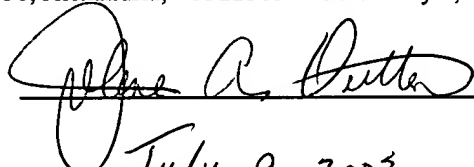
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July 9 2003
(Date)

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I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 9, 2003.


July 9, 2003
Date of Signature